

A Comparative Analysis of Framework for Preventing Food Adulteration in Bharat, the United States, and Japan



Shipra Tripathi¹, Dr. Usha Palhoeya²

¹PhD Research Scholar, Oriental University, Indore.

²Research guide & Associate Professor, Oriental University, Indore.

Abstract

Food adulteration is not merely a violation of food standards; it is a serious public health concern that directly affects the right to life, health, and human dignity. The increasing incidence of adulterated and unsafe food has raised significant concerns regarding the effectiveness of existing regulatory and enforcement mechanisms. This article undertakes a comparative analysis of the legal frameworks governing food adulteration and food safety in India, the United States, and Japan, with the objective of examining their respective approaches towards prevention, regulation, detection, enforcement, and penal consequences.

The study primarily focuses on the Indian legal framework, particularly the Food Safety and Standards Act, 2006, and compares it with the regulatory mechanisms operating in the United States and Japan. While India has developed a comprehensive statutory framework through the establishment of the Food Safety and Standards Authority of India (FSSAI), significant gaps continue to exist in effective implementation, institutional coordination, laboratory infrastructure, surveillance, accountability, and timely prosecution. The mere existence of stringent statutory provisions cannot adequately address the problem unless such provisions are supported by efficient enforcement and continuous monitoring.

The comparative analysis demonstrates that the United States and Japan provide useful models in several areas, including preventive food-safety mechanisms, scientific risk assessment, traceability, regulatory oversight, coordinated enforcement, and greater emphasis on accountability throughout the food supply chain. Their experiences indicate that an effective food-safety regime requires not only punitive measures after an offence has occurred but also a strong preventive and risk-based regulatory approach.

The article argues that India needs substantial legal and institutional reforms to strengthen its existing framework. Greater investment in accredited laboratories, scientific testing, digital traceability, market surveillance, inter-agency coordination, and expeditious adjudication is essential. It further proposes that lessons from the United States and Japan may be suitably adapted to the Indian socio-legal context rather than adopted mechanically. The study concludes that effective control of food adulteration requires a combination of strong legislation, effective implementation, scientific capacity, institutional accountability, and public participation, so that the right to safe and wholesome food can be meaningfully protected.

Keywords: Food Adulteration, Food Safety, Comparative Legal Analysis, Public Health, Food Safety Enforcement, Prevention of Food Adulteration Act, 1954, Food Safety and Standards Act, 2006, Food Safety and Standards Authority of India (FSSAI), Federal Food, Drug, and Cosmetic Act, 1938; FDA Food Safety Modernization Act (FSMA), 2011; Food Sanitation Act, 1947 (Japan); Food Safety Basic Act, 2003; Ministry of Health, Labour and Welfare (MHLW); Ministry of Agriculture, Forestry and Fisheries (MAFF).

Introduction

Objectives of the Study:

1.To critically examine and comparatively analyse the legal and regulatory frameworks governing food adulteration and food safety in India, the United States, and Japan, with particular emphasis on their legislative provisions, enforcement mechanisms, regulatory institutions, penalties, and measures for prevention and detection of food adulteration.

2.To identify the existing shortcomings in India's legal and enforcement framework relating to food adulteration and, through a comparative study of the United States and Japan, suggest suitable legal, institutional, and administrative reforms that may

strengthen the effective implementation of food safety laws in India and ensure better protection of public health and the right to safe food.

Research Methodology:

This study adopts a doctrinal-comparative research design to examine and compare legal frameworks addressing food adulteration in Bharat, the United States, and Japan. The primary aim is to identify similarities and differences in statutory provisions, enforcement mechanisms, and remedial measures, and to assess how each jurisdiction protects public health and consumer rights.

Research design

Doctrinal legal analysis to interpret statutes, regulations, and case law; comparative method to contrast legal regimes and derive lessons.

Sources of data:

Primary sources: National legislation and subsidiary regulations (e.g., Food Safety and Standards Act and Rules, relevant state rules in India; Federal Food, Drug, and Cosmetic Act and FDA regulations in the US; Food Sanitation Act and related ordinances in Japan); official enforcement guidelines; selected judicial decisions and administrative orders.

Secondary sources: Scholarly articles, commentaries, government reports, NGO studies, and newspaper reports used to contextualize reforms and enforcement practice.

Non-legal sources: Newspaper cuttings and media reports to capture recent enforcement episodes and public discourse; selected empirical studies where available to supplement doctrinal findings.

Data collection procedure:

Systematic retrieval of statutes and regulations from official government portals and legal databases (e.g., India Code, Ministry websites, US Code/FDA, Japan's e-Gov).

Legal databases (e.g., SCC/Manupatra for India, Westlaw/Lexis for US, and national databases or English translations for Japan) used to locate decisions and secondary literature.

आयुःसत्त्वबलारोग्यसुखप्रीतिववर्धनाः।

रसयाःस्सनम्राःस्सिरा हृदयाःआहाराः।

सास्त्वकवप्रयाः[1]॥

This is a verse (shlok) from the Geetha, which means as under:

"Foods that promote longevity, vitality, strength, health, happiness and satisfaction, and which are wholesome, nourishing, stable and pleasing, are dear to those of a sattvic nature."

Being a law student, I would say Food adulteration is a heinous crime as it directly affects public health, consumer rights and the quality of food available in the market. Different countries have adopted different legal mechanisms to deal with this crime/problem. In India, food adulteration is mainly regulated by the Food Safety and Standards Act, 2006, which established the Food Safety and Standards Authority of India (FSSAI) and consolidated earlier food laws[2]. In the United States, adulterated food is regulated primarily under the

Federal Food, Drug, and Cosmetic Act, 1938, supported by the Food Safety Modernization Act, 2011[3], which focuses on preventing contamination before it occurs. In Japan, the principal law is the

Food Sanitation Act[4], administered mainly by the Ministry of Health, Labour and Welfare. This Article compares these three legal systems with reference to their regulatory authorities, preventive measures, complaint procedures, inspection methods, penalties and consumer-protection mechanisms. Now why are we discussing the laws of the United States and Japan only, because those countries have the best mechanism/ food adulteration laws among all the countries.

This article is going to deal with the concerned problem from the beginning, to investigation, enforcement, penalties, and broader systemic design. The discussion is arranged under fourteen headings so that the lifecycle of a food adulteration issue can be followed in legal sequence rather than as a mere country-wise description. Relevant statutory provisions are indicated where official materials made them available in the sources consulted.

1. Concept and Point of Inception:

The inception of food adulteration usually lies at the stage of production, processing, storage, packaging, transport, or sale, where the nature, substance, or quality of food is altered for gain or through negligent non-compliance. At this initial point, the law in all three jurisdictions is designed to intervene before unsafe food reaches public, though the intensity of preventive regulation differs significantly.

In Bharat, the concept is tied to the statutory definitions of "adulterant" and "unsafe food." Section 3(1)(a) of the Food Safety and Standards Act, 2006 defines[5] "adulterant" as any material which is or could be employed for making food unsafe, sub-standard, mis-branded, or containing extraneous matter, while section 3(1)(zz) defines "unsafe food" by reference to injury to health, poisonous or deleterious substances, filthy or decomposed matter, or contaminants beyond permitted limits. In the United States, 21 U.S.C. Sec. 342[6] deems food adulterated where it bears harmful substances, consists of filthy or decomposed material, has been held under insanitary conditions, or has had a valuable constituent omitted or replaced.[7,8] Japan deals[9] with the inception point through its sanitation-oriented legal framework[10], in which food safety policies are scientifically administered and linked to standards, monitoring, and import control under the Food Sanitation Act system.

2. Statutory Basis:

In Bharat, Food Safety and Standards Act, 2006 is the base legislation, enacted to consolidate food laws and to establish the Food Safety and Standards Authority of India for laying down science-based standards and regulating manufacture, storage, distribution, sale, and import of food so as to ensure safe and wholesome food for[11] everyone in the country. The 2006 statute replaced the older fragmented regime, including the Prevention of Food Adulteration Act,

1954, hence created a more unified legal structure.

The United States does not operate through one singular “food adulteration law.” Its core legal basis lies in the Federal Food, Drug, and Cosmetic Act, especially 21 U.S.C. Sec. 342 on adulterated food, while the Food Safety Modernization Act of 2011 reoriented the framework toward prevention, hazard control, traceability, and recall authority.[11]

Japan’s principal statutory basis is the Food Sanitation Act, as reflected in the Ministry of Health, Labour and Welfare’s food safety materials and amendment records, particularly the 2018 amendment process that modernised mechanism/the system.[12]

3. Regulatory Authorities:

Bharat follows a central-plus-state enforcement model. The Food Safety and Standards Authority of India acts as the national standard-setting and regulatory authority, while implementation is shared with State Food Safety Commissioners, Designated Officers, Food Safety Officers, and notified laboratories under the Act[13]. This arrangement offers legislative unity but depends heavily on administrative capacity at the State level.[14]

The United States follows a more institutionally distributed model. The Food and Drug Administration regulates most food products under the FD&C Act and FSMA framework, while other segments may involve additional federal actors; the architecture therefore remains federal but operationally divided.[15]

Japan’s system is administered by the Ministry of Health, Labour and Welfare, which expressly states that food safety policies are formulated and implemented on scientific principles in collaboration with consumers, food business operators, and other stakeholders.[16]

4. Definitions and Legal Thresholds:

Definitions do matter because they determine when sub-standard conduct becomes actionable adulteration. In Bharat, the language is explicit statutorily. Section 3(1)(a) defines adulterant, and section 3(1)(zz) defines unsafe food in a broad and health-centred manner, capturing poisonous matter, filthy or rotten matter, unsafe packaging, misbranding, and excessive pesticides or contaminants.[17]

In the United States, 21 U.S.C. Sec. 342 draws multiple thresholds: poisonous or deleterious substances, insanitary conditions, unapproved additives, and economic adulteration by substitution or abstraction of a valuable constituent.[18] The FDA also separately explains economically motivated adulteration, or food fraud, as intentional omission, substitution, or addition of a substance in order to elevate its apparent worth or reduce cost. Japan’s threshold is framed more through sanitation control,

legality at import, and compliance with standards[19] under the Food Sanitation Act system rather than a single explanatory definition publicly summarised on one page.[19]

5.Preventive Regulatory Design:

The clearest point of divergence among the three jurisdictions lies in preventive design. Bharat’s Act is broad enough to regulate manufacture, storage, distribution, sale, and import, and it is built on the premise of science-based standards.[20] Yet, as an administrative matter, the preventive structure in Bharat still depends on licensing, compliance supervision, laboratory support, and implementation by State authorities rather than a single continuous hazard-based operating model publicly foregrounded in the statute’s official summary.[21,22]

The United States adopts a more expressly preventive and risk-based system. The FDA states that FSMA transforms the national food safety system by shifting focus from responding to contamination to preventing it.[23] The legislation includes preventive controls, produce safety, intentional adulteration measures, foreign supplier verification, sanitary transport obligations, and expanded recall-related powers.[24] Japan also exhibits a preventive orientation, but through sanitary administration and targeted guidance, specially when it comes to imported foods and standards-based monitoring.[23]

6.Duties of Food Business Operators:

In Bharat, food business operators function within a regime of licensing, regulatory compliance, and liability for unsafe food or adulterants entering the market. The FSS Act’s overall structure assumes that operators must comply with applicable standards and are answerable where food becomes unsafe, sub-standard, or contaminated. Sec. 26, 26 (2), sec. 27, (1), (2), (3) deal with the deal with the ‘Liability for unsafe/non-compliant food entering the Market.[24]

In the United States, the role of the operator is more intensely compliance-driven. FSMA requires covered entities to identify hazards, implement preventive controls, maintain records, undertake verification, and adopt supplier-related safeguards where applicable. In Japan, the Ministry’s own description of food safety governance makes clear that business operators are treated as active participants in the regulatory process rather than passive addressees of penalties.[25]

7.Detection, Sampling, and Inspection:

Once adulteration is suspected, the legal system moves from prevention to detection. In Bharat, the Act and allied enforcement structure provide for inspection, sampling, analysis, and action through Food Safety Officers, Designated Officers, and laboratories. The statutory machinery is built to identify unsafe food and adulterants through official intervention rather than private litigation alone.[26]

In the United States, detection may occur through routine inspections, targeted inquiries, complaint-based reporting, scientific testing, supply-chain review, and agency investigation. The FDA's materials on economically motivated adulteration specifically refer to testing technologies, databases, and coordination with industry and government actors for detection and confirmation.[27]

In Japan, the detection model is strongly tied[28] to official monitoring and quarantine-stage scrutiny, especially for imported food, where document examination and inspection are undertaken by food sanitation inspectors.[29]

8.Complaint and Initiation of Proceedings:

A food adulteration case may begin through a consumer complaint, official suspicion, laboratory finding, border inspection, or market surveillance. Bharat's enforcement scheme permits initiation through statutory officers once sampling, inspection, or other regulatory triggers reveal possible violations under the Act. Sec. 38, (1), (2), 40, 41, 42 read with Sec.25 and Sec. 35[30] The practical significance is that the complaint process is mediated through public authorities rather than being left to private complainants alone.

In the United States, complaints from consumers and industry may feed into agency action[31], but the framework is wider than complaint-triggered enforcement because records review, risk assessment, and preventive controls are also central to intervention.[32]

In Japan, proceedings in many cases[33] emerge not from adversarial complaint culture but from administrative scrutiny, import notification, and legality review under the Food Sanitation Act system.[34]

9.Imported Food Controls:

Imported food is a significant comparative point because adulteration increasingly arises across transnational supply chains. Bharat's Act expressly covers import regulation as part of the objective of ensuring safe and wholesome food. This puts imported food formally within the same national safety framework as domestic food. Sec. Mainly Chapter V, Section 25 deals with this part.[35]

The United States has one of the most developed imported-food systems among the three. FSMA includes the Foreign Supplier Verification Program and related mechanisms aimed at ensuring that imported food meets U.S. safety standards.[36]

Japan also places exceptional emphasis on imported foods. Official guidance states that importers must file import notification under Article 27 of the Food Sanitation Law, and food sanitation inspectors at quarantine stations examine documentation and inspect products for compliance.[37] Further, annual Imported Foods Monitoring and Guidance Plans[38]

are prepared under Article 23, paragraph 1 of the Act to ensure systematic oversight.[39]

10.Recall, Seizure, and Corrective Action:

A legal system's effectiveness depends not only on detection but also on how swiftly it can remove offending food from circulation. In Bharat, the Act provides for regulatory intervention against unsafe food and adulterants through seizure, adjudication, and prosecution structures, although recall practice operates through the broader FSSAI regulatory framework rather than the Act's bare definitional provisions alone.[40]

The United States is particularly strong in corrective mechanisms. FSMA is expressly associated with expanded recall authority and preventive regulation, allowing regulators to intervene before widespread public harm occurs.[41]

Japan uses administrative guidance, inspection, and compliance-based action, especially at the import stage, with recall-related steps also reflected in imported-food monitoring reports where violations are detected.[42]

11. Civil, Administrative, and Criminal Liability:

In Bharat, liability under the FSS Act is graded. Section 57 deals with penalties for dealing with adulterants, distinguishing between adulterants that are injurious to health and those that are not. Section 59 deals with the punishment for manufacturing, storing, selling, distributing, or importing unsafe food, with consequences varying according to the result of the contravention, including injury or death.[43] The statute therefore combines administrative penalties with serious penal consequences where harm escalates.

In the United States, adulteration may attract seizure, injunction, import refusal, recall-related action, and criminal or civil proceedings under the FD&C framework and related enforcement mechanisms.[44]

Japan's system similarly combines administrative supervision with legal consequences⁴⁷ under the Food Sanitation Act, though the official English materials consulted describe the framework more through governance and monitoring than through a simplified penalties summary.[45]

12.Evidentiary and Scientific Basis:

Food adulteration disputes often turn on scientific evidence. Bharat's statutory structure relies on notified laboratories, analysis, and regulatory opinion to establish whether food is unsafe, sub-standard, or adulterated.[46] This gives laboratory capacity a central role in enforcement quality.

The United States places especially strong emphasis on science, including analytical testing, preventive records, traceability tools, and hazard-based review.[50]

Japan openly states that its food safety policies are formulated and implemented on scientific principles, and its imported-food plans further reflect monitoring and inspection designed to ensure effective and efficient safety supervision.[47]

13. Structural Strengths and Weaknesses:

Bharat's principal strength lies in legislative consolidation. By bringing disparate food laws under the Food Safety and Standards Act, 2006, it created a coherent statutory base with clear definitions, a national authority, and graded sanctions. Its continuing weakness is not conceptual deficiency, but uneven implementation, resource constraints, laboratory limitations, and variations in enforcement intensity across jurisdictions.[52]

The United States' greatest strength lies in the maturity of its preventive architecture. Its law integrates adulteration rules with hazard analysis, supplier verification, recall powers, and documentary compliance, making the system forward-looking rather than merely punitive.[53] Its weakness is structural fragmentation, because the framework is powerful but institutionally dispersed.

Japan's strongest feature[54] is administrative coherence grounded in scientific regulation and disciplined import oversight.[55] Its public-facing legal explanation, however, is often less immediately accessible to comparative researchers than the text-heavy statutory style found in Bharat or the highly elaborated agency guidance found in the United States.

14. Comparative Assessment:

On an overall comparison, no system is flawless, but each jurisdiction demonstrates a distinct regulatory virtue. Bharat offers the advantage of a consolidated statute and a conceptually comprehensive legal framework.

The United States provides the most fully articulated preventive and enforcement-oriented model, especially in relation to hazard control, records, supplier verification, and imported food oversight. Japan demonstrates how a scientifically administered sanitation system can function with notable coherence, particularly at the level of policy coordination and border control.[48]

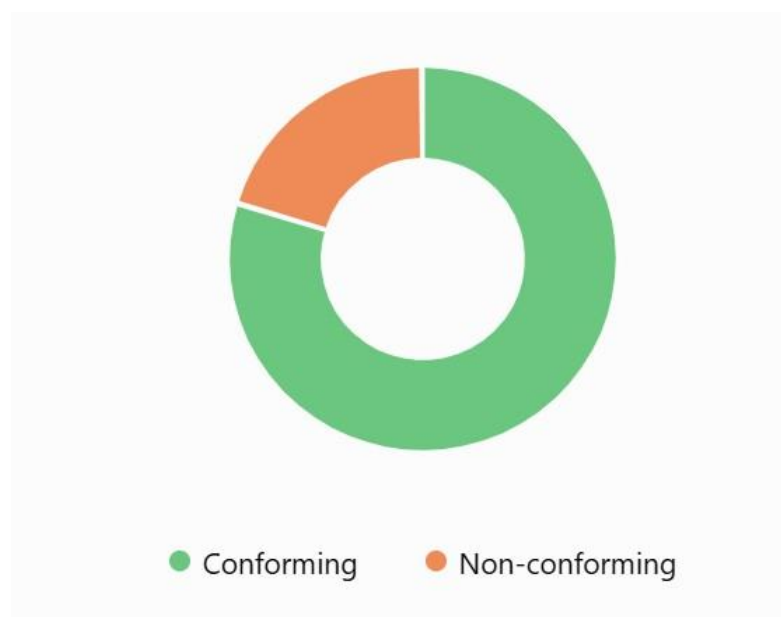
If the benchmark is legislative clarity, Bharat performs strongly. If the benchmark is preventive sophistication and operational enforcement, the United States appears the most robust. If the benchmark is coordinated public-health administration, Japan stands out. For Bharat, the comparative lesson is not the need for an entirely new statute, but the need to strengthen laboratories, accelerate enforcement, improve traceability, and deepen preventive compliance culture within the existing legal framework.

Comparative Perspective:

The pie diagram presents a snapshot of food safety compliance in India during 2024–25, based on the food samples analysed by the State and Union Territory Food Safety Authorities.[49] Of the 1,70,535 samples tested, 1,36,147 were found to be conforming, while 34,388 were nonconforming. Thus, although the majority of the samples met the prescribed standards, the proportion of non-conforming samples remains significant and highlights the need for stronger testing, monitoring and enforcement mechanisms to ensure food safety in India.

Food Safety Compliance in India, FY 2024–25

Distribution of food samples analysed by State/UT Food Safety Authorities according to conformity status.



Presenting comparative insights and regulatory gaps with the help of a table:

Although India, the United States, and Japan all prohibit food adulteration and unsafe food through comprehensive legislation, their regulatory designs differ significantly. India's Food Safety and Standards Act, 2006 provides a strong statutory base, but it

relies more on penalties than on systematic prevention. By contrast, the U.S. FSMA and Japan's Food Sanitation framework place greater emphasis on risk-based controls, supplier verification, traceability, and border-level inspection. The following table identifies the key areas where India's model falls short of these more prevention-oriented regimes.

Core difference	India	United States	Japan	Why India lags
1. Prevention-first model	More enforcement after violation than prevention before harm.	FSMA is built around prevention.	Food Sanitation system is prevention-oriented	India is less prevention-driven.
2. Risk-based controls	Present, but not as central.	Hazard analysis and preventive controls are core.	HACCP-based control is embedded in the system.	Risk management is stronger abroad.
3. Import verification	Import control exists, but is less rigorous in structure.	FSVP requires importers to verify foreign suppliers.	Import notification + quarantine inspection are mandatory.	India lacks a stronger supplier-verification layer.
4. Mandatory recall	Recall exists, but is not the strongest enforcement pillar.	Mandatory recall is a major FDA tool.	Recall and withdrawal are tightly linked to public health control.	Unsafe food may stay longer in circulation.
5. Border safety	Border screening is present, but less systemized.	Risk-based import monitoring is structured.	Imported-food safety is a major institutional focus.	Japan is stricter at the border.

Core difference	India	United States	Japan	Why India lags
6. HACCP integration	Not uniformly dominant across the system.	HACCP logic is reflected in preventive controls.	HACCP is explicitly required in import and hygiene control.	India's process control is weaker.

7. Records and traceability	Useful, but not as strong as a compliance backbone.	Records are central to FSVP and preventive compliance.	Import and hygiene monitoring depend on documentation.	Traceability is less robust in India.
8. Supplier accountability	No equally strong importer-driven verification model.	Importers must prove supplier compliance.	Export-country hygiene controls are checked before entry.	India is weaker on upstream accountability.
9. Public-health architecture	Strong statute, but weaker operational system.	Public health protection is built into the law.	Food safety is treated as a public-health priority.	India needs better operationalization.
10. Inspection intensity	Inspection exists, but is less border-focused.	Inspection is tied to records, facilities, and risk.	Quarantine station inspection is a core mechanism.	Japan inspects more systematically.

Core difference	India	United States	Japan	Why India lags
11. Foreign-supplier checks	Limited compared with U.S. model.	Direct verification of foreign suppliers required.	Foreign-country hygiene control is checked.	India lacks a strong foreign-supplier filter.
12. Strong compliance design	More offence-and-penalty driven.	Compliance is designed into the system.	Compliance is reinforced through import conditions and HACCP.	India is less compliance-structured.
13. Early intervention	Often triggered after unsafe food is identified.	Early preventive intervention is built in.	Early intervention starts at import and production level.	India intervenes later.

14. Import certification	Not as strongly highlighted in the source set.	Verification program is enough in many cases.	Health certificates are required for some products.	Japan is stricter on certification.
15. Food-defence layer	Less visible as a separate doctrine.	Intentional adulteration is addressed separately.	Safety and control measures are embedded in the sanitation regime.	U.S. has a clearer security layer.

Core difference	India	United States	Japan	Why India lags
16. System coordination	Multi-level, but not as visibly integrated.	FDA system is more centralized and programmatic.	MHLW coordinates import safety and sanitation closely.	India's coordination looks less integrated.
17. Public alerts	Recall notice available, but less dominant.	Recall alerts are a central consumersafety tool.	Imported-food safety notices are strong and visible.	India's alert ecosystem is weaker.
18. Standard-setting depth	Strong standards law, but uneven implementation.	Standards link directly to preventive controls.	Standards are tied to hygiene, import rules, and inspections.	India's standards are less system-linked.
19. Global equivalence check	Less developed in the materials used.	Foods must meet U.S. safety equivalence.	Export-country controls are verified before	India lacks strong equivalence enforcement.
20. Overall model	Strong law, weaker preventive architecture.	Bestdeveloped preventive and verification model.	Strongest border hygiene and importcontrol model.	India lags mainly in prevention, verification, and traceability.

Lessons for India: A Comparative Legal Perspective:

The comparison of India with the other two more efficient countries (when it comes to dealing with the issue of the food adulteration) shows that India does not necessarily need an entirely new food-adulteration law. The more immediate requirement

is to improve implementation, scientific capacity, institutional coordination and consumer remedies under the existing Food Safety and Standards Act, 2006. The following lessons may strengthen India's regulatory framework.

1. Shift from Punishment to Prevention:

India should move beyond a system that mainly acts

after adulterated food has entered the market. The United States' preventive model demonstrates the value of hazard analysis, preventive controls, supplier verification and continuous monitoring before food reaches consumers.

A stronger preventive approach would require food businesses to identify foreseeable risks, maintain written safety plans, verify compliance and report corrective measures. This would make food operators responsible for preventing adulteration rather than merely facing prosecution after harm has occurred.

2.Strengthen Food-Testing Laboratories:

Reliable enforcement depends on reliable scientific evidence. India should increase the number, quality and independence of accredited food laboratories, particularly at the State and district levels.

Delays in laboratory analysis can weaken prosecution and allow unsafe products to remain in circulation. Laboratories should have modern facilities for detecting chemical adulterants, pesticide residues, toxins, microbial contamination and economically motivated substitution.

3.Introduce Time-Bound Sample Analysis:

The law should be supported by clear timelines for collection, transport, testing and communication of laboratory results. A sample that remains pending for months loses much of its regulatory value.

Time-bound testing would improve both consumer protection and procedural fairness. It would also reduce the possibility that prosecution fails merely because scientific evidence was delayed or compromised.

4.Create an Effective Traceability System:

India should develop a digital traceability system covering the movement of food from producer to retailer. Such a system would help authorities identify the source of adulteration and remove affected batches quickly.

The United States' preventive framework places importance on records, supply-chain controls and traceability. India can adapt these principles to its own market conditions, including informal markets and small food businesses.

5.Strengthen Recall Mechanisms:

A recall should not rely only on voluntary action by the manufacturer. India requires a faster and more transparent mechanism through which unsafe food can be pointed out, publicly announced and removed from every level of the supply chain.

Recall notices should clearly mention the product name, batch number, date of manufacture, nature of the risk, geographical distribution and consumer instructions. Japan's imported-food system shows the importance of coordinated action for the accurate

and swift recall of violating food products. [50]

6. Improve Coordination Between Authorities:

Food safety in India involves FSSAI, State Food Safety Authorities, local bodies, customs authorities, laboratories and consumer forums. Weak coordination between these bodies may create delay and uncertainty.

A clear division of responsibility, common digital records and regular inter-agency communication would make enforcement more effective. Japan provides a useful model because its national ministry, quarantine stations and local governments cooperate in monitoring and corrective action.[51]

7.Regulate Imported Food More Strictly:

Imported food item should be subject to risk-based screening at ports, airports and other entry points. India should strengthen document verification, sampling, laboratory testing and postmarket monitoring of imported food.

Japan requires import-related notification and conducts inspection through quarantine stations located at international ports. Its system also permits enhanced inspection[52] when violations or health risks are identified.[53]

India could adopt a similar model by maintaining a risk profile of importers, countries of origin, products and previous violations.

8.Distinguish Food Fraud from Accidental Contamination:

All food violations should not be dealt with as identical. Accidental contamination may result from negligence or poor hygiene, whereas food fraud may involve deliberate substitution, dilution or concealment for financial gain.

India should develop a clearer regulatory distinction between accidental non-compliance, negligent conduct and intentional economic adulteration. Deliberate adulteration should attract stronger consequences because it combines public-health harm with dishonest commercial conduct.

9.Ensure Proportionate Corporate Liability:

Food adulteration is frequently committed through business structures rather than by isolated individuals. Therefore, liability should extend to the company and to responsible managerial personnel where the evidence justifies it.

Penalties should consider the seriousness of the harm, the number of consumers affected, the financial benefit obtained, previous violations, and whether the business attempted to conceal the offence. A penalty that is lower than the profit gained from adulteration cannot create effective deterrence.

10.Make Consumer Remedies More Accessible:

Consumers should have a simple and accessible

process for reporting suspected adulteration. Complaint portals, helplines and mobile applications should allow consumers to upload bills, photographs, batch numbers and test reports.

The consumer should also be informed about the progress and outcome of the complaint. Food safety is ultimately a consumer-protection issue; therefore, the system should not treat the complainant merely as a source of information but as a rights-bearing participant.

11. Publish Enforcement Data Transparently:

FSSAI and State authorities should regularly publish information about inspections, samples collected, positive laboratory results, recalls, prosecutions, convictions and penalties.

Transparent data would help identify recurring adulteration patterns and high-risk products. It would also enable researchers, consumers and policymakers to assess whether the law is producing practical results rather than remaining effective only on paper.

12. Develop Specialised Food-Safety Adjudication:

India should consider strengthening specialised adjudication and prosecution for food-safety offences. Officers and prosecutors dealing with such cases should have knowledge of food science, laboratory evidence, supply chains and statutory procedure.

Specialisation can reduce delays and can elevate the quality of legal decision-making. It would also help courts distinguish between technical non-compliance, negligence, deliberate fraud and conduct causing serious public-health injury.

Concluding Remarks:

After comparing the food-adulteration laws of India and the other two efficient countries, United States seems to have a strongest laws to deal with the food adulteration issue from the stage of its inception or even before that stage. The main reason is that the United States focuses more on preventing adulteration before it reaches consumers. Under the Federal Food, Drug, and Cosmetic Act and the Food Safety Modernization Act, food businesses must identify possible risks, maintain safety controls, verify suppliers and keep proper records. The authorities also have powers relating to inspections, laboratory testing, import restrictions, recalls and legal action.

India has a detailed framework under the Food Safety and Standards Act, 2006, but its effectiveness is sometimes reduced by delays, inadequate testing facilities and uneven enforcement. Japan has a well-organised and scientifically based system under the Food Sanitation Act, particularly because its authorities work in a coordinated manner.

After seeing the whole scenario we can definitely draw a conclusion that the United States of America

has the most effective overall framework because it combines prevention, scientific testing, business responsibility and strong enforcement. However, India can learn from the United States' preventive system and Japan's coordinated administration.

So, we can clearly say that Bharat doesn't need a new law only but it requires a complete new framework and a strong system from the stage of inception of the concerned problem to the final destination till the time the adulteration is deterrently checked on. We have to work from the point of the inception of this crime, infact seeing the growing technologies these days we should work on the law that prevents Food adulteration from taking place.

Let's unite and make Bharat a strong, independent and powerful Bharat.

We exist because our country exists. We have no existence without our country!!

Reference

Legislations:

1. Food Safety and Standards Act, 2006 (India). (2006). Government of India. <https://www.indiacode.nic.in/handle/123456789/2027> (3)
2. Food Safety Modernization Act, Pub. L. No. 111-353, 124 Stat. 3885 (2011). U.S. Food and Drug Administration. <https://www.fda.gov/food/food-safety-modernizationact-fsma/full-text-food-safety-modernization-act-fsma>
3. Food Sanitation Act (Japan). (n.d.). Japanese Law Translation. <https://www.japaneselawtranslation.go.jp/en/laws/view/12/en>

Articles / web sources:

4. Economically Motivated Adulteration (Food Fraud). (n.d.). U.S. Food and Drug Administration. <https://www.fda.gov/food/compliance-enforcement/food/economically-motivated-adulteration-food-fraud>
5. Food Safety. (n.d.). Ministry of Health, Labour and Welfare, Japan. https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/kenkou_iryuu/shokuhin/index_0006.html
6. Food Safety and Standards Authority of India. (n.d.). FSSAI. <https://fssai.gov.in/cms/about-fssai.php>
7. Food Safety and Standards Authority of India. (n.d.). FSSAI. <https://fssai.gov.in/cms/act-2006.php>
8. Government of India, Ministry of Health and Family Welfare. (2026, February 17).

- Food safety measures in the country [Press release]. Press Information Bureau. Press Information Bureau – Food Safety Measures in the Country
9. Imported Foods Inspection Services Home Page. (n.d.). Ministry of Health, Labour and Welfare, Japan. <https://www.mhlw.go.jp/english/topics/importedfoods/1.html>
 10. Imported Foods Monitoring and Guidance Plan for FY 2024. (2024). Ministry of Health, Labour and Welfare, Japan. <https://www.mhlw.go.jp/content/001243823.pdf>
 11. Inspection Results of Imported Foods Monitoring and Guidance. (n.d.). Ministry of Health, Labour and Welfare, Japan. <https://www.mhlw.go.jp/english/topics/importedfoods/15/15-06.html>
- End Note**
1. Bhagavad Gita, Chapter 17, Verse 8 (17.8), translated by A.C. Bhaktivedanta Swami Prabhupada, Bhagavadgita As It Is (The Bhaktivedanta Book Trust, 1972).
 2. Food Safety and Standards Authority of India. (2006).
 3. U.S. Food and Drug Administration. (2011). Food Safety Modernization Act.
 4. Ministry of Health, Labour and Welfare, Japan. (n.d.). Food Sanitation Act. (Act No. 233 of 1947)
 5. Food Safety and Standards Authority of India. (2006). Food Safety and Standards Act, 2006 (s. 3(1)(a), definition of “adulterant”; s. 3(1)(zz), definition of “unsafe food”; s. 57, penalty for possessing adulterant; s. 59, punishment for unsafe food). https://fssai.gov.in/docs/food-law/act2006/Food_Safety_and_Standards_Act_2006.pdf
 6. . U.S. Government Publishing Office. (2019). 21 U.S.C. Sec. 342 – Adulterated food (grounds of adulteration including poisonous substances, insanitary conditions, abstraction, substitution, and decomposition). <https://www.govinfo.gov/app/details/USCODE-2019-title21/USCODE-2019-title21-chap9-subchapIV-sec342>
 7. Ibid
 8. Food Safety Modernization Act (FSMA) <https://www.fda.gov/food/guidance-regulation-food-and-dietarysupplements/food-safety-modernization-act-fsma>
 9. Ministry of Health, Labour and Welfare, Japan. (n.d.). Food Safety (Food Sanitation Act framework; scientific administration of food safety policy). https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/kenkou_iryuu/shokuhin/index_00006.html
 10.] Food Safety | Ministry of Health, Labour and Welfare https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/kenkou_iryuu/shokuhin/index_00006.html
 11. U.S.C. 342 - Adulterated food - Content Details <https://www.govinfo.gov/app/details/USCODE-2019-title21/USCODE-2019-title21-chap9-subchapIV-sec342>
 12. Economically Motivated Adulteration (Food Fraud) <https://www.fda.gov/food/compliance-enforcement/food/economically-motivated-adulteration-food-fraud>
 13. https://www.fssai.gov.in/upload/knowledge_hub/7729566bb3f339ffbdFSO%20Manual%20final8%20web.pdf
 14. Imported Foods Monitoring and Guidance Plan for FY 2024 <https://www.mhlw.go.jp/content/001243823.pdf>
 15. Supra 11
 16. Supra 7
 17. Imported Foods Inspection Services Home Page <https://www.mhlw.go.jp/english/topics/importedfoods/1.html> 18 Supra 6
 18. Supra 10
 19. Supra 7
 20. Supra 05
 21. Supra 14
 22. U.S. Code § 342 - Adulterated food - Law.Cornell.Edu <https://www.law.cornell.edu/uscode/text/21/342> 24 Supra 11 and 23
 23. Food Sanitation Act - English <https://www.japaneselawtranslation.go.jp/en/laws/view/12/en>
 24. Supra 5
 25. Supra 7
 26. - FOOD ACT https://fssai.gov.in/docs/food-law/act-2006/Food_Safety_and_Standards_Act_2006.pdf
 27. Full Text of the Food Safety Modernization

- Act (FSMA)
<https://www.fda.gov/food/food-safety-modernization-act-fsma/full-text-food-safety-modernization-act-fsma>
28. [PDF] Imported Foods Monitoring and Guidance Plan for FY 2024
<https://www.mhlw.go.jp/content/001243823.pdf>
 29. Supra 7
 30. Supra 05
 31. Economically Motivated Adulteration (Food Fraud)
<https://www.fda.gov/food/compliance-enforcement/economically-motivated-adulteration-food-fraud>
 32. Supra 06
 33. Supra 33
 34. Supra 07
 35. Supra 05
 36. Supra 06
 37. Supra 07
 38. [PDF] Imported Foods Monitoring and Guidance Plan for FY 2023
<https://www.mhlw.go.jp/content/001124793.pdf>
 39. Supra 35
 40. Food Safety and Standards Authority of India - FSSAI
<https://fssai.gov.in/cms/about-fssai.php>
 41. Food Safety Modernization Act (FSMA)
<https://www.fda.gov/food/guidance-regulation-food-and-dietary-supplements/food-safety-modernization-act-fsma>
 42. Priority Items For...
<https://www.mhlw.go.jp/english/topics/importedfoods/18/18-06.html>
 43. FSSAI
https://fssai.gov.in/upload/uploadfiles/files/FOOD_ACT.pdf
 44. Supra 33 and 06 47 Supra 07
 45. Imported Foods Inspection Services Home Page
<https://www.mhlw.go.jp/english/topics/importedfoods/1.html>
 46. Supra no 13 50 Supra no 29
 47. Supra 47
 48. Supra 29
 49. Government of India, Ministry of Health and Family Welfare. (2026, February 17). Food safety measures in the country [Press release]. Press Information Bureau. Press Information Bureau - Food Safety Measures in the Country
 50. Imported Foods Monitoring and Guidance Plan for FY 2020
<https://www.mhlw.go.jp/content/000623550.pdf>
 51. ibid
 52. Measures to Ensure Food Safety
<https://www.mhlw.go.jp/english/policy/health-medical/food/dl/pamphlet.pdf>
 53. Imported Food Safety - 厚生労働省
https://www.mhlw.go.jp/stf/seisakunitsuite/bunya/kenkou_iryuu/shokuhin/yunyu_kanshi/index_00017.html